IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.R.UDAYABHANU

THURSDAY, THE 15TH MARCH 2007 / 24TH PHALGUNA 1928

Crl.Rev.Pet.No. 1129 of 2007

CRA.318/2005 of ADDL. SESSIONS COURT(ADHOC)FAST TRACK COURT III, PATHANAMTHITTA
ST.62/2003 of CHIEF JUDICIAL MAGISTRATE COURT, PATHANAMTHITTA
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REVN. PETITIONER: APPELLANT/ACCUSED

K.S.PUSHPALETHA, PAZHUMPADISSERIL,
PUTHIYIDOMKARA, KAYAMKULAM,
ALLEPPEY DISTRICT.

BY ADV. SRI.RASHEED C.NOORANAD

RESPONDENTS: RESPONDENT/COMPLAINANT
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1. K.M.PHILIPOSE, PULIKKOTHARAYIL HOUSE,
CHERUKOLE, KOZHENCHERI, PATHANAMTHITTA.

2. STATE OF KERALA REP. BY THE
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

R2 BY PLUBLIC PROSECUTOR MR. AMJAD ALI

THIS CRIMINAL REVISION PETITION HAVING COME UP FOR ADMISSION ON 15/03/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

K.R. UDAYABHANU, J.

CRL.R.P.NO.1129 of 2007

DATED THIS THE 15th day of March 2007

ORDER

The revision petitioner stands convicted for the offence under Section 138 of the Negotiable Instruments Act and sentenced to undergo simple imprisonment for three months and to pay a sum of Rs.85,000/- as compensation to the complainant under Section 357 (3)Cr.P.C. The revision petitioner has only sought for modification of sentence and time to make the payment of compensation.

In the circumstances, the sentence is modified to imprisonment till the rising of the court and to pay a compensation of Rs.85,000/- to the complainant under Section 357(3)Cr.P.C.and in default to undergo simple imprisonment for three months. The revision petitioner is granted six months time to pay the amount of compensation. He shall appear before the Chief Judicial Magistrate court, Pathanamthitta on 14-9-2007 to receive sentence. Non -bailable warrant is not to be executed in the meantime. The Crl.revision petition is disposed of accordingly.

ks.

K.R.UDAYABHANU, JUDGE

ks.